

## Fielding Farm-Friendliness Through Planning and Zoning

By Shelby Tompkins-Frangk

Dutchess County has a rich and diverse history in agriculture – 620 farms span 101,948 acres of active farmland and generate almost \$44 million in agricultural products sold annually <sup>[1]</sup>. The scope of farming seen today could not have been predicted a few decades ago. When the 1998 Dutchess County Agricultural and Farmland Protection Plan was written, the biggest concerns facing agriculture were the continuing loss of farms and conversion of farmland into non-farm uses due to the high level of development pressure and the lack of profitable farm operations. Now, our agricultural diversity – composed of traditional livestock and dairy farming, fruit and vegetable operations, tree farms, nurseries/ greenhouses, local distilleries, wineries, and breweries, u-pick farms, and newer farming ventures like community supported agriculture, among others – provides many benefits to our community including strong local economies, local food security, agri-tourism, preserved open space, and scenic viewsheds.

### Dutchess County Agricultural and Farmland Protection Plan

The [2015 Dutchess County Agricultural and Farmland Protection Plan](#) establishes a long-term vision of diversity, growth, and support for agriculture in Dutchess County. Broadly, the plan considers recent changes in agriculture, evaluates past successes, identifies current and future needs and opportunities, and develops new strategies to use moving forward. Five (5) priority initiatives were outlined, and serve as both the foundation to the plan as well as a method to implement it:

- Coordination and collaboration through an Agricultural Navigator and Agricultural Advisory Committee;
- Agricultural economic development and a business retention and expansion program;
- Farmland preservation;

### What's INSIDE

Dutchess County Agricultural and Farmland Protection Plan .....	1
Farm-Friendly Regulations .....	2
Farm-Friendly Audit .....	2
Municipal Toolkit for Implementing Farm-Friendliness in Your Zoning Code .....	4
Potential Land Use/Regulatory Tools .....	11
Farm-Friendly Audit Methodology & Process ...	11
Farm-Friendly Audit Facts & Figures .....	12
A Lid for Every Pot .....	13



*While some may be accustomed to thinking about livestock farming as solely cows or pigs, Dutchess County is teeming with agricultural diversity, including llama and alpaca farms. (Photo Credit: Jennifer Fimbel, DC Ag Navigator)*

- Farm-friendly regulation; and
- Marketing, public relations, and awareness.

## Farm-Friendly Regulations

You may be wondering what farm-friendliness means. At its most basic level, it is the acknowledgment that farms and farmland are valued in your community, and that agriculture is an industry worth supporting, preserving, and perpetuating for future use. It places an emphasis on opportunities to allow agriculture to grow rather than placing unreasonable limits or restrictions on it.

Farm-friendly regulations codify these goals through your local land use documents, like the comprehensive plan and zoning code. Formed out of a public process, a comprehensive plan establishes the long-term vision for a community's future, as well as the strategies to achieve it. This public process may have revealed that agriculture is an important aspect of your community. If so, your municipality should memorialize the value and future of agriculture in the comprehensive plan and establish complementary, enforceable tools and policies in the zoning code based on New York State Agriculture and Markets Law. Zoning codes that are considerate of impacts on agricultural lands and apply "right-sized" processes to farm operations are a critical step towards farm-friendliness, and where "the rubber meets the road" in local decision-making.

*"Farm operation' means the land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise..." as defined in NYS Agriculture and Markets Law ([Article 25-AA, §301](#)).*

## Farm-Friendly Audit

Included as part of the "Farm-friendly regulation" initiative was the completion of a countywide audit of municipal comprehensive plans and zoning codes to gauge farm-friendliness. Initially, the Plan involved an audit of nine communities (towns of Clinton, East Fishkill, LaGrange, North East, Pawling, Pine Plains, Red Hook, Wappinger, and Washington), adapted from a guidance document by the American Farmland Trust entitled "[Planning for Agriculture in New York: A Toolkit for Towns and Counties](#)." However, the [Dutchess County Department of Planning and Development](#) recognized that more needed to be done to forward this effort. Over the past year, our Department completed the audit for all 30 Dutchess County municipalities. In total, the [audit](#) encompassed 41 questions per community – 14 regarding comprehensive plans and 27 regarding zoning codes – all of which were focused on understanding the relationship between municipal regulations and agriculture in our county.

### Goals

Throughout the audit process and subsequent review of the data collected, the goals were to:

- Understand the relationship between municipal regulations and agriculture in our county by creating an existing conditions report;
- Discover instances to remove barriers and enhance opportunities for farm-friendliness in municipal planning and zoning documents;
- Present communities with the tools to create a farm-friendly environment where agriculture can succeed as a productive, viable, and dynamic business in Dutchess County; and
- Provide a public benefit to all local communities.

## Takeaways

The Farm-Friendly Audit revealed a number of important points, but none more striking than this: 61% of Dutchess County communities acknowledge the positive impact of farming and farmland in their municipal documents, but 72% have barriers that make it harder for agriculture to operate effectively. Most municipalities include broad support for agricultural statistics and policies, but this level of support is not matched in municipal zoning codes where real implementation of the comprehensive plan should take place.

*In Dutchess County, 61% of communities acknowledge the positive impact of farming and farmland in their municipal documents, but 72% have barriers that make it harder for agriculture to operate effectively.*

### *Comprehensive Plan*

Agriculture is often treated favorably in municipal comprehensive plans, but those plans do not include specific information to actively forward the goals associated with supporting agriculture. Generally, most communities establish policies toward farmland and farming, recommend actions to preserve and enhance farms and farmland, and create policies for the agricultural use of open space. However, few comprehensive plans capture the full range of benefits that farms bring to a community, including as a business and not just a scenic vista. Ultimately, this will affect the strength of the recommendations to protect and promote farmland. To this end, farm-friendliness could be strengthened in the comprehensive plan through the inclusion of a specific section on agriculture (including any input on its importance in the community as part of the public engagement process), the discussion and integration of agricultural data and maps, the discussion of New York State agricultural districts, and reference to the Dutchess County Agricultural and Farmland Protection Plan.

### *Zoning Codes*

Although communities may be supportive of agriculture in their comprehensive plans, regulatory barriers often exist in municipal zoning codes that make supporting this industry challenging. The audit demonstrates that a farm-friendly comprehensive plan does not necessarily translate to a farm-friendly zoning code. The audit highlighted four general barriers to farm-friendliness found in the majority of Dutchess County zoning codes, many of which:

- Do not allow agriculture and/or ag-related uses in many different districts;

## **Local Example: Farm-Friendliness in the Town of Beekman's Comprehensive Plan**

The Town of Beekman's Comprehensive Plan has a specific section on agriculture, specific recommendations related to agriculture (which are reinforced in other sections), and includes a discussion of local and regional tools for the promotion and preservation of agriculture – all of which are recommended as part of the Farm-Friendly Audit to strengthen farm-friendliness in municipal comprehensive plans.

*McIntosh Farm (right) is a farm in the Town of Beekman specializing in the production of hay. (Photo Credit: Dutchess County Planning)*



- Require a special use permit and/or site plan review for ag-related uses;
- Regulate farms by acreage and/or the number of animals; and
- Do not allow personal windmills or solar panels as a permitted use by right for farms.

## Municipal Toolkit for Implementing Farm-Friendliness in Your Zoning Code

There is no single program or policy that will strengthen farm-friendliness in every municipality. Based on the results of the audit, in no particular order, eleven tools are highlighted below to foster farm-friendliness in municipal zoning codes. These tools are context-sensitive, based on the priorities of your municipality, and focused on “right-sizing” the local review process to meet both the needs of farmers and your community. Agriculture across Dutchess County is not created equally – if your municipality deems that agriculture is an important part of your community, then these tools may be for you.

<b>Tool #1:</b> Define Agricultural Uses.....	4
<b>Tool #2:</b> Employ Local Agricultural Zoning Districts .....	5
<b>Tool #3:</b> Establish Agricultural Overlay Districts/Zones .....	6
<b>Tool #4:</b> Utilize Agricultural Land Preservation.....	6
<b>Tool #5:</b> Regulate Farms in the Zoning Code .....	8
<b>Tool #6:</b> Employ a Modified Site Plan Review .....	8
<b>Tool #7:</b> Zone for Farm Markets and Roadside Stands.....	9
<b>Tool #8:</b> Zone for Agri-Tourism/Recreational Activities .....	10
<b>Tool #9:</b> Allow Farmworker Housing.....	10
<b>Tool #10:</b> Allow Alternative Energy for Agricultural Purposes .....	10
<b>Tool #11:</b> Require Buffers and Setbacks for Agricultural Uses .....	11

### Tool #1: Define Agricultural Uses

Definitions are the foundation of any zoning code; details of the ordinance are defined and clarified in this section. Communities should adopt the NYS Agriculture and Markets Law (AML) definitions ([Article 25-AA, §301](#)), by reference, into their code. This alleviates any potential conflicts that could arise if a municipality’s definitions are not aligned with the State statute.

For example, per AML, “farm operation” means “the land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise.” Despite their inclusion in the State’s definition, only half of the 30 communities allow accessory farm structures (i.e. garages, equipment storage, and barns) and only a third allow farm processing facilities (i.e. community kitchens and slaughterhouses) as-of-right. These farm-support uses and structures, which help farms stay viable, make ends meet, and provide an alternative to selling farmland for development, should not be precluded from being allowed in conjunction with a permitted farm operation due to limitations or unintentional barriers in the definitions section. If they are precluded, a farmer or concerned citizen could challenge the legality of the ordinance, inciting a potentially expensive and time-consuming battle for the municipality.

In most cases, if a use is not defined in the zoning code (or omitted from the use table), it is prohibited. To prevent against unreasonably restrictive local ordinances, it is critical for agriculturally related definitions (from AML) to be included in the code.

#### audit RESULT:

24 communities define agricultural terms



### Local Example: Town of Milan's Agriculture Definition

The Town of Milan's Zoning Code includes a definition for "agriculture," which states "...Any agricultural use of land which is required to be permitted by state law or state regulation is permitted in the Town of Milan..."

*Great Song Farm operates a CSA using organic and environmentally sustainable practices on their 88-acre farm in the Town of Milan. (Photo Credit: Great Song Farm)*



### Tool #2: Employ Local Agricultural Zoning Districts

In pursuit of farm-friendliness, a community may choose to establish a local agricultural zoning district in their zoning code, where agriculture and ag-related uses are principal permitted uses. This kind of zoning is usually applied to farming areas and is designed to restrict uses or densities (of non-farm uses) that are incompatible with farming. It is important to clearly state the mission of the district in the establishment of districts section and, if desired, embed right-to-farm protections in the mission.

Based on the information presented in the comprehensive plan, communities should have a clear idea of priority farming areas and where they want to support agriculture over the long-term; this should then inform the process of districting lands in active agricultural use to help stabilize the agricultural land base.

#### audit RESULT:

14 communities establish local agricultural zoning districts or agricultural overlay districts/zones

### Local Example: Town of Red Hook's Agricultural Business District

This district is one example of a local agricultural zoning district, which requires land to be either at least 50% "important farmland" and be a "farm," or be proximate to other farmland in the Town. This district allows many farm and farm-supported uses.



*Every season affords the public access to a new and different local agricultural bounty. Pictured above is a fall pumpkin harvest and corn maze at Kesickee Farm in the Town of Red Hook. (Photo Credit: Heather LaVarney, Dutchess County Planning)*

### Tool #3: Establish Agricultural Overlay Districts/Zones

Agricultural overlay districts/zones are used to enhance a community's zoning by enacting additional development standards to conserve key agricultural resources, limiting the impacts of new development on nearby agricultural uses, or by establishing incentives for parcels that have certain characteristics that are conducive to agricultural use. Inclusion of properties within these districts may be based on high-quality agricultural soils, location in a State-certified agricultural district, or location in other specific agricultural districts. In addition to the uses permitted in the underlying zoning district, other additional, complementary uses to farming may be permitted in the overlay district, such as roadside farm stands, employee housing for farm workers, and agriculture-related service or commercial uses.

A community may choose to establish an overlay district because these zoning mechanisms “tailor regulations to specific properties and districts to meet specific community goals”<sup>[2]</sup>. In place of a broader commitment to a dedicated local agricultural zoning district, these districts can provide more flexibility to the community by allowing a multitude of uses from both the underlying zoning district and overlay district.

#### audit RESULT:

14 communities establish agricultural overlay districts/zones or local agricultural zoning districts

#### Local Example: Town of Washington's Agricultural Protection Overlay District

This district designates parcels meeting certain criteria, which are consistent with agriculture and farmland preservation, to be within the zone. The section also stipulates that the Town Planning Board may require that new residential developments of three or more lots within the district comply with the Town's cluster requirements found in its Subdivision Code.

*Bos Haven Farm in the towns of Union Vale and Washington  
(Photo Credit: Dutchess County Planning)*



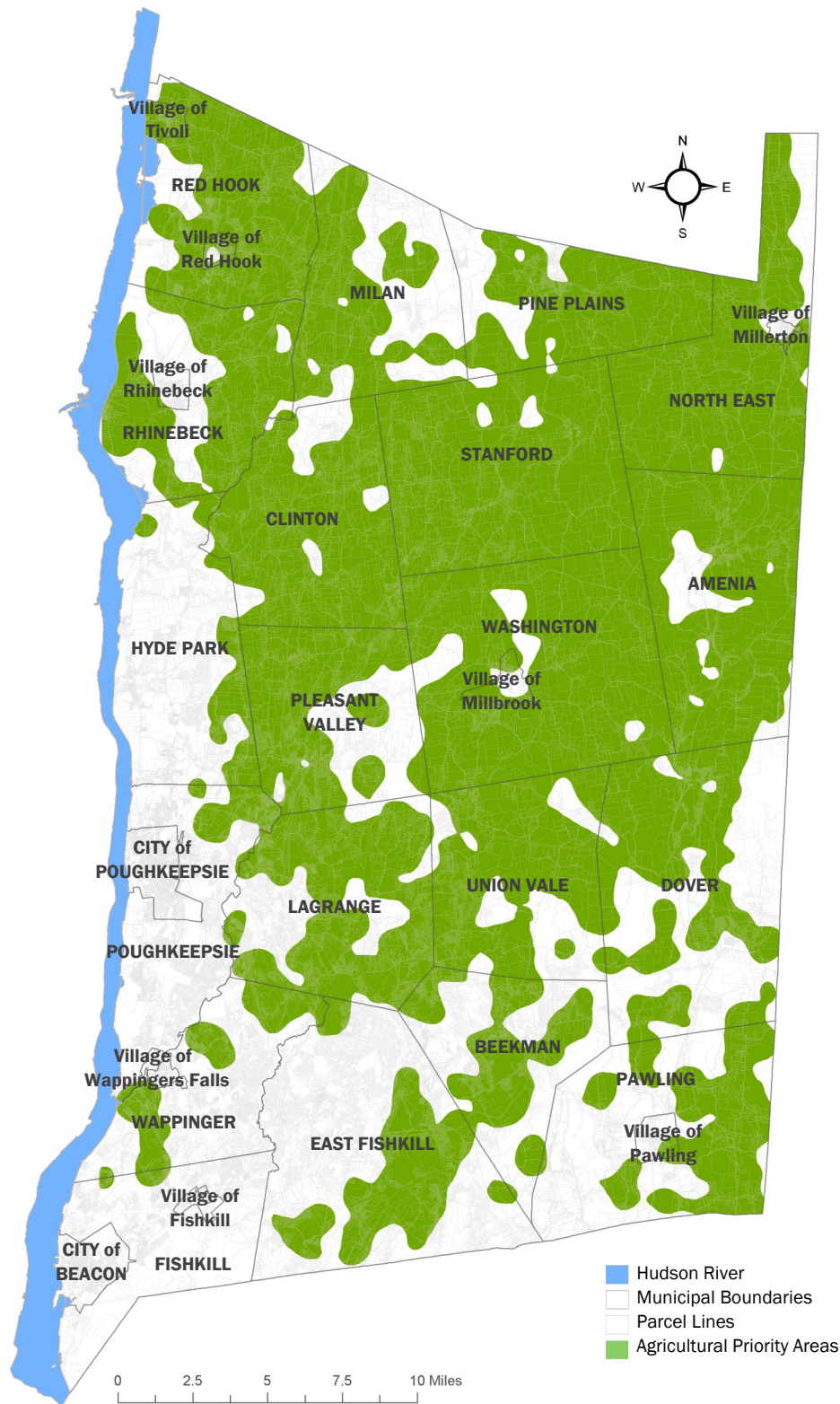
### Tool #4: Utilize Agricultural Land Preservation

There is no “silver bullet” for protecting farmland – a combination of strategies is most effective in sustaining agriculture in a community. To preserve farmland, prioritize areas to protect, focus growth into desired areas and existing centers, and thoughtfully site new housing and developments to prevent future conflicts between farmers and neighbors. These principles are aligned with the Planning Department's [Greenway Connections program](#), which underscores the importance of agricultural economic development and natural resource protection. A somewhat unique example of land preservation at the County level, Dutchess County's [Partnership for Manageable Growth \(PMG\)](#) program helps safeguard important agricultural and open space resources, maintaining their integrity as-is and keeping them from being developed. For agricultural projects awarded PMG funding, the farm's development rights are purchased, preventing conversion of the land to other, non-agriculture uses and assuring the property will remain farmland in perpetuity. The County's PMG program relies on partnerships among state, local, and regional agencies. For example, this program provides a locally funded match for land preservation purchase, up to 50% of the total project cost; Dutchess County often partners with area land trusts on the local matches. In most instances, the land trust also acts as the entity that accepts the responsibility to uphold the provisions outlined in the PDR agreement, though in the case of a municipal PDR program, the respective municipality may take on this role. Since the program's inception, over 5,000 acres of land, both for agricultural and open space purposes, have been protected in Dutchess County, further ensuring that local agriculture can continue to grow and thrive.

#### audit RESULT:

21 communities encourage agricultural land preservation tools, such as incentive zoning, PDR/TDR programs, and cluster zoning/conservation subdivisions.





*Agricultural Priority Areas –Agricultural businesses are inextricably linked to the quality, location, and condition of the land. Designating priority farmland in your comprehensive plan and codifying it in your zoning code (through a local agricultural zoning district or overlay district) will help to ensure that agricultural uses are able to thrive in your community. Dutchess County did an assessment of agricultural priority farmland for the entirety of the county in its 2015 Agricultural and Farmland Protection Plan. The map above depicts the agricultural priority areas that resulted from the plan’s analysis. (Map Credit: Dutchess County)*

This map and associated data is intended for planning purposes only. Dutchess County shall not be held liable for any misuse or misrepresentation of this information. Map contents and data are subject to change. Data Source: Parcel Lines and Municipal Boundaries – Dutchess County Real Property Tax Service Agency, 2020.

## Tool #5: Regulate Farms in the Zoning Code

Generally, the NYS Department of Agriculture and Markets considers the regulation of farms by acreage or the number of animals to be unreasonably restrictive. Minimum acreage requirements can be a significant barrier for new start-up operations, niche farms, and other specialty operations that do not need a lot of land to operate. Regulating farms by the number of animals often subjects “certain classes of agriculture to more intensive reviews or permitting requirements than others” without demonstrating a specific and tangible threat to public health and safety [3]. Instead, when crafting a zoning ordinance, the community should refer to the farm uses/structures permitted by AML. It is important to remember that a community whose aim is to be farm-friendly would not want to have more restrictive regulations than AML.

### audit RESULT:

5 communities do not regulate farms by acreage and/or number of animals

As hybrids of several different uses, agriculture has unique circumstances that require alternative approaches, strategies, and land use tools compared to other commercial businesses. Communities should allow multiple primary uses on agricultural parcels, and ensure that the zoning ordinance does not prescribe past or current conditions, but is forward thinking and permits future growth of agricultural operations.

## Tool #6: Employ a Modified Site Plan Review

The NYS Department of Agriculture and Markets generally views special use permit requirements for farm-related activities as unreasonable. If a community would like oversight of a proposed agricultural activity, a [modified and expedited site plan approval process](#) could be utilized, depending on the nature of the proposed activities, the size and complexity of the proposed activities, and whether the construction of buildings or structures is required. For example, requiring “a small farm market, which sells only a minimal amount of off-farm product, to obtain site plan approval may be unreasonably restrictive” [4]. This streamlined process allows the community to respond to farmers' concerns while ensuring the ability to have local land use issues examined.

### audit RESULT:

6 communities do not require special use permits or site plan approval for agriculture or ag-related uses

Through this process, municipalities can specify that farm operations located within specific zoning districts must undergo a modified site plan review. This way, farmers can clearly understand what is required to do business in your community. Municipalities may also elect to exempt farm operations located within a State-certified agricultural district from their modified site plan review process.

### Local Example: Town of Red Hook's Minor Site Plan Review in the Agricultural Business District

This district includes a section on “minor site plan review” (§143-39.1(C)(1)(e)), which states that permitted accessory uses within this district are subject to modified site plan requirements, consisting of “building elevation and design, parking, lighting and signage... unless the Planning Board has specific concerns regarding public health, safety or general welfare and such concerns are specifically set forth in the minutes of the Planning Board meeting.”

*Rose Hill Farm in the Town of Red Hook (Photo Credit: Heather LaVarnway, Dutchess County Planning)*





## Tool #7: Zone for Farm Markets and Roadside Stands

In many cases, farms thrive from diversifying their market – having a few staple crops, utilizing direct sales, and employing agricultural tourism, or “agritainment.” Farm stands, farm markets, and roadside stands are all critical components of the farm business plan and should be included in the definitions section of the zoning code (Note: AML includes these uses in the definition for “farm operation”). If a community would like oversight of the placement and regulation of these stands/markets then the use of a modified site plan approval process may be utilized.

Also, agriculture is not a singular use operating in isolation in a community; regional efforts to sustain farming are being employed all over the county. Regulations for retail-based uses should not preclude this kind of regional support and should not limit sales to items farmed/produced at one farm.

### audit RESULT:

3 communities do not limit farm stands to selling products produced at one farm

### audit RESULT:

11 communities do not require farms stands to acquire a special use permit or site plan approval before operating

### audit RESULT:

14 communities allow on- and off-site signs by right to direct the public to farm stand

### Local Example: COVID-19 Pandemic Increases Popularity of Farm Stands, Markets and CSAs as People Rediscover Local Foods

The COVID-19 pandemic highlighted inherent deficiencies in our food systems, and stripped individuals of their normal shopping routines as stores had difficulty keeping shelves stocked with the basics. As a result, consumers started turning to local sources of food to make up the difference. Whether that meant visiting their weekly farmer’s market, joining a community supported agriculture (CSA) program, or starting their own backyard or community garden plot, folks all across the country are reconnecting with the foods that are “local” to them, and increasing their local food system’s resiliency and sustainability as a result. If there ever was a silver lining with this situation, it’s that local agriculture – often smaller, family-run operations – is regaining steam. People see that relying on vast, complicated, and seemingly intangible food supply chains introduces vulnerabilities into the food system. Local agriculture is something you can see and touch, and local farmers are members of our community. The COVID-19 pandemic has re-illuminated the notion of local – when local thrives, we thrive, too.



*Farm stands are an important seasonal income source for farmers. If a community does not want to allow these types of uses by right, then a modified site plan approval process may be utilized.  
(Photo Credit: Jennifer Fimbel, DC Ag Navigator)*

### Tool #8: Zone for Agri-Tourism/Recreational Activities

NYS Agriculture and Markets considers hayrides, petting zoos, cornfield mazes, and harvest festivals to be allowed agricultural activities if they are ancillary to a permitted farm operation. To meet this standard, the events/activities must be:

- Directly related to the sale and promotion of the crops, livestock, and livestock products produced at the farm;
- Incidental and subordinate to the retail sale of the farm's crops, livestock, and livestock products;
- Hosted by the farm; and
- Feature the farm's crops, livestock, and livestock products.

To ensure public health and safety is maintained at all times, a municipality may employ a modified site plan approval process and/or have the farmer obtain an event permit for these types of activities.

#### audit RESULT:

2 communities allow non-traditional farm businesses as-of-right

### Tool #9: Allow Farmworker Housing

Currently, most local zoning regulations do not include any provisions for farmworker housing. Per AML, farmworker housing is considered one of the "on-farm buildings" associated with a farm operation. As such, it is unreasonably restrictive to prohibit mobile or manufactured homes as permitted farm housing. "Farmworker housing" should be included in the definition for "agriculture," and should be added to the schedule of uses and allowed where agriculture is permitted. If a community would like oversight of the placement and regulation of these residences, then the use of a modified site plan approval process may be appropriate.

#### audit RESULT:

7 communities define and allow farmworker housing (including mobile homes)

### Tool #10: Allow Alternative Energy for Agricultural Purposes

Looking towards future sustainability, solar and wind power generation will continue to become more commonplace locally. The NYS Department of Agriculture and Markets considers small wind and solar facilities, which are used to generate power for the farm (not exceeding 110% of demand), as a farm structure. Communities should consider allowing personal windmills and solar panels as a permitted use by right and, if desired, employ a modified site plan approval process for these projects.

#### audit RESULT:

7 communities allow personal windmills and solar panels for farm operations



*As large energy consumers, farmers may choose to offset some of the costs associated with the farm operation by installing renewable energy sources on-site. As pictured above, Fishkill Farms in the Town of East Fishkill utilizes rooftop solar panels. (Photo Credit: Shelby Frange, Dutchess County Planning)*

## Tool #11: Require Buffers and Setbacks for Agricultural Uses

It is critical to minimize conflicts between farmers and potential non-farm neighbors by managing new development patterns and providing for growth in appropriate areas. The zoning ordinance should codify that new residential development must provide buffering and screening from existing/future farm operations. Also, it is important to balance the appropriateness of setbacks, as they could result in new houses being sited in the middle of prime farmland instead of at the edges.

**audit RESULT:**  
8 communities  
require buffer  
zones between  
farmland and  
residential  
neighbors

## Potential Land Use/Regulatory Tools

If your community determines that agriculture is a valued local asset, this should be accurately and effectively reflected in your comprehensive plan and zoning code. Additional measures that communities can utilize are [right-to-farm laws](#), [agricultural data statements](#), and [real estate disclosure notices](#). In general, these tools establish a supportive environment for agriculture, encourage review of possible impacts on nearby farm operations, and make buyers aware of the sights, sounds, and odors associated with a permitted agricultural use.

## Farm-Friendly Audit Methodology & Process

Though audits may vary depending on the subject matter, the overall process of an audit is generally the same – it is intended to be an objective and systematic review of information for summary and interpretative purposes. Generally, the same stock of questions is clearly and consistently applied to a dataset. The results are then aggregated, reviewed, and interpreted.

For this review, the audit questions were streamlined and slightly updated from those originally presented in the Plan, framing each question with “positive” language so that “yes” answers support farm-friendliness and “no” answers inhibit farm-friendliness. Compliant with the goals and right-to-farm protections outlined in New York State Agriculture and Markets Law (AML) (Article 25-AA), each audit question was answered as if it applied to a parcel or property in a New York State Agricultural District. We chose to answer the questions in this way because municipalities whose aim is to be farm-friendly would want to align their comprehensive plans and zoning codes with AML. Although agriculture is present in many ways in Dutchess County, the audit focused on the commercial use of agriculture as a local business. Narrowing the focus to solely commercial activity further aligned the audit with AML.

In municipalities with a more urban- or village-context, agriculture may not play as large a role as in the more rural communities. For the sake of uniformity, though, we completed the audit as if farm-friendliness and farm-friendly regulations were overall missions of each community. In our analysis of the data, however, we broke down the results to compare the responses of the county as a whole versus those “municipalities with agriculture” (defined as having property in an agricultural district) using farm-friendly practices.

The Farm-Friendly Audit was completed by one staff member of the Dutchess County Department of Planning and Development. This allowed for a consistent interpretation of and response to each question, and an objective review of each comprehensive plan and zoning code. While there may be certain elements of subjectivity using this method, it was a deliberate choice to keep the review as uniform and unbiased as possible.

After presenting summary results of the audit at a [Dutchess County Planning Federation short-course](#) on October 16, 2018, community-specific results (see [Appendix D](#)) were shared with each municipality for their review and comment. When comments were received from a municipality, as appropriate, they were integrated into both the Farm-Friendly Audit and this document. We received comments from 11 of the 30 Dutchess County municipalities.



## Farm-Friendly Audit Facts & Figures

The potential responses to each audit question were “yes,” “no,” and “maybe;” the maybe category was used as an intermediary response, where a conclusive “yes” or “no” was difficult to determine. Where applicable, comments were included to substantiate the basis for each response.

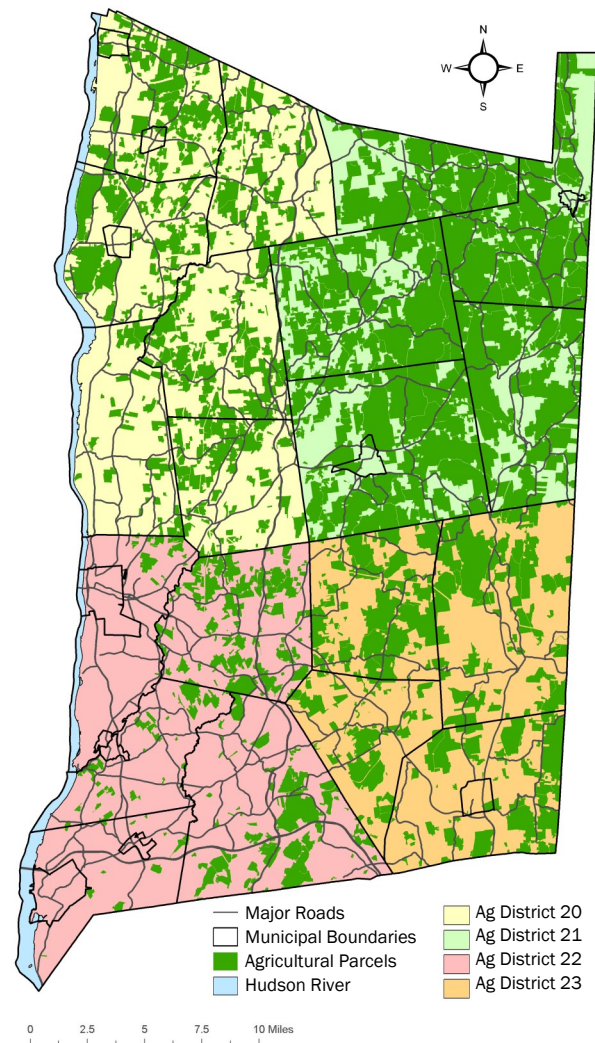
The audit spreadsheet is comprehensive yet overwhelming in its raw form. The results for all 30 municipalities were summed and analyzed to assess farm-friendliness on a countywide basis. Understanding that communities without agriculture (defined for this purpose as not having property in an agricultural district) may not have farm-friendly regulations, we further broke down the results to compare the responses of the county as a whole versus those municipalities with agriculture (defined above). This methodology was adapted from Orange County’s work on their own [farm-friendly audit process](#) [5]. Those that were deemed as meeting or maybe meeting the requirement (a “yes” or “maybe” response) were assumed to be using farm-friendly practices. We calculated the degree of farm-friendliness for each audit question and then assigned a status based on a scale from weak to widespread application.

In summary, 22% of the audit questions had widespread application of practice (most municipalities incorporate the practice into their plans or regulations); 44% had mixed application of practice (about half of the municipalities do and half do not incorporate the practice into their plans or regulations); and 34% had weak application of practice (only a few municipalities incorporate the practice into their plans or regulations). Detailed information on this summation can be found in [Appendix B](#).

Another effort towards distilling the audit information down was to narrow the 41 questions into more digestible general topic areas; the resulting topic areas are below:

- **Identify/Acknowledge Agriculture:** 5 questions – 4 on comprehensive plans and 1 on zoning codes;
- **Agricultural Statistics:** 2 questions on comprehensive plans;
- **Agricultural Impact:** 3 questions on comprehensive plans;
- **Agricultural Policies:** 16 questions – 5 on comprehensive plans and 11 on zoning codes, and;
- **Barriers:** 15 questions on zoning codes.

To review each question and associated category of the Farm-Friendly Audit, please see [Appendix C](#).



*Agricultural Districts – Dutchess County is divided into four New York State Agricultural Districts (20, 21, 22, and 23). Pictured above are all the Dutchess County properties included within these districts. For the audit, each question was answered as if it applied to a parcel or property in a NYS Agricultural District because municipalities whose aim is to be farm-friendly would want to align their comprehensive plans and zoning codes with Agriculture and Markets Law (AML). (Map Credit: NYS Department of Agriculture and Markets)*

This map and associated data is intended for planning purposes only. Dutchess County shall not be held liable for any misuse or misrepresentation of this information. Map contents and data are subject to change. Data Source: Parcel Lines and Municipal Boundaries – Dutchess County Real Property Tax Service Agency, 2020.

With the goal of creating connections across borders and subjects, the questions associated with the five generalized topics were then summarized by the percentage of each response among the 30 municipalities:

Table 1: DC Farm-Friendly Audit Generalized Topics						
Generalized Topic	Yes		Maybe		No	
	#	%	#	%	#	%
Identify/Acknowledge Agriculture	57	38%	5	3%	88	59%
Agricultural Statistics	34	57%	0	0%	26	43%
Agricultural Impact	55	61%	9	10%	26	29%
Agricultural Policies	260	54%	14	3%	206	43%
Barriers	118	26%	10	2%	322	72

## A Lid for Every Pot

The nuances of municipal comprehensive plans and zoning codes do not always lend themselves to simple, binary answers. By conducting the audit and preparing this document, the intent was to create connections across borders and subjects to develop clear, implementable takeaways to make a more farm-friendly Dutchess County. The degree of farm-friendliness that is both possible and desirable varies by community – what works in our rural communities may not be appropriate in our villages and downtown areas. As arbiters of policy in your municipality, a combination of these tools, unique to your specific needs, can help you create a regulatory environment where farms can succeed now and in the future.



*There was a time in the not-so-distant past where it looked like the sun was setting on Dutchess County agriculture, but because of a confluence of efforts – an increased desire to know where our food comes from, re-allocating resources back into local farms, and embedding farm-friendly practices into municipal regulations, to name a few – Dutchess County agriculture is growing and thriving once again. (Photo Credit: Jennifer Fimbel, DC Ag Navigator)*

**Dutchess County Farm-Friendly Audit Appendices:**

- [Appendix A: Countywide Results Table \(.pdf\)](#)
- [Appendix B: Countywide Results Summary \(.pdf\)](#)
- [Appendix C: Condensed Topics \(.pdf\)](#)
- [Appendix D: Individual Municipal Audits \(.pdf\)](#)
- [Appendix E: Agricultural Zoning Code Sections \(.pdf\)](#)

**Reference Materials:**

- [Making Your Community More Farm-Friendly through Planning and Zoning Presentation \(.pdf\)](#) (Dutchess County Planning Federation Short-Course)
  - \* [Resources List \(.pdf\)](#)
- [Municipal Toolkit for Implementing Farm-Friendliness in Your Zoning Code \(.pdf\)](#) (Dutchess County Planning Federation *Plan on It* eNewsletter)
- [Inventory of Agricultural Resources \(.pdf\)](#) (Dutchess County Agricultural and Farmland Protection Plan)
- [Planning for Agriculture in New York: A Toolkit for Towns and Counties \(.pdf\)](#) (American Farmland Trust)
- [Community Agricultural Profiles](#) (Cornell Cooperative Extension Dutchess County)

**More Information:**

- [Dutchess County Agricultural Navigator](#)
- [Dutchess County Department of Planning and Development](#)
  - [Agricultural Resources Inventory Application](#)
- [New York State Department of Agriculture and Markets](#)
- [American Farmland Trust](#)

---

<sup>[1]</sup> [2017 Census of Agriculture: County Profile: Dutchess County, New York, p.1.](#)

<sup>[2]</sup> [American Planning Association: Property Topics and Concepts, Overlay Zones. 2019.](#)

<sup>[3]</sup> [NYS Department of Agriculture & Markets: Guidelines for Review of Local Zoning and Planning Laws, p.9.](#)

<sup>[4]</sup> [NYS Department of Agriculture & Markets: Guidelines for Review of Local Laws Affecting Direct Farm Marketing Activities, p.1.](#)

<sup>[5]</sup> [Orange County Agricultural and Farmland Protection Plan – Appendix 6, pp. 43-46.](#)